REMARKS

Claims 1- 18 are now pending in this application. The Applicant has amended claims 1and 10. Applicant submits that the application is now in condition for allowance. Reconsideration and allowance of claims 1-18 now pending in this application is respectfully requested in view of the following.

A.   Rejection under 35 U.S.C. 103

Claims 1-8, and 10-17 have been rejected under 35 U.S.C. 103 as being unpatentable over Dave Raggett, "Clean up your Web Pages with HTML Tidy," 4th version (August 2000), pgs 1-21 ("HTML Tidy") in view of Perry U.S. Patent Application Publication No. 2004/0261017 ("Perry").

In the response filed March 13, 2007, the Applicant traversed the teachings of the HTML Tidy reference as set forth by the Examiner. In the Office Action of May 31, 2007, the Examiner merely indicated that the Applicant's arguments were not persuasive without providing a clear explanation as to why the Applicant's arguments were not persuasive as required by MPEP 707.07(f). As a result, the Applicant herein below restates his arguments and requests that the Examiner explicitly provides an explanation as the why the arguments are not persuasive.

The Original Structured Document to be Converted

Claims 1 and 10, recites a computer implemented method and computer program for converting an original structured document that is either a SGML structured document or a XML structured document to a XHTML structured document. On page 3 of the November 14, 2006, the Examiner states that:

> "HTML Tidy teaches a method of converting a structure
> document (XML or HTML) into a well formed HTML
> document - i.e., XHTML , (see pg. 2 - Introduction to
> Tidy and pg. 7, 2nd paragraph from bottom."

The Applicant strongly disagrees with the Examiner's interpretation of the HTML Tidy reference.

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The portion of the HTML Tidy reference cited by Examiner clearly discloses that HTML Tidy is a software program that automatically **"fixes"** markup mistakes made when **"editing"** HTML or markup mistakes **"generated by conversion tools."** This language demonstrates that the HTML Tidy operates on HTML documents that are being edited or documents that have "already" been converted into HTML documents to merely fix markup mistakes in the HTML documents. There is no disclosure in the entire reference directed to HTML Tidy performing any conversion between two types of a structured documents, much less a conversion from a SGML structured document or a XML structured document to a XHTML. Accordingly, there can be no parsing of an original structured document to be converted because HTML Tidy does not perform any type of conversion process.

The Examiner also seem to suggest that an HTML document is the same as an XHTML document. This is not the case. XHTML applies the more rigorous, less ambiguous syntax requirements of XML to HTML to make it easier to process and extend. In short, page 2 of the HTML Tidy reference cited by the Examiner merely teaches that HTML Tidy only operates on HTML documents to fix markup mistakes the HTML document may have and does not perform conversion as stated by the Examiner. In addition, while page 7 of the HTML Tidy reference does disclose that HTML Tidy provides support for XML documents, the support is for the limited purpose of removing errors in-order for XML files to be accepted by XML processors. The correction of errors that cause XML files not to be accepted by XML processors is not disclosed as involving any type of conversion process. Accordingly, the limitation of parsing an original structured document to be converted, wherein the original structured document is one of a SGML document or XML document, as recited in claim 1 and 10, cannot be taught by HTML Tidy because HTML Tidy does not perform any type of conversion between any type of structured documents.

The Claimed Generation of a First Level XHTML Content Fragment

The HTML Tidy reference also fails to teach generating a first level XHTML content fragment corresponding to each first level element. The Examiner states on page 3 of the Office Action that:

> " HTML Tidy teaches parsing an original structure
> and mapping the elements contained in the original
> structured document with the XHTML content
> fragment in order to perfect the code."

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The Examiner is again incorrect for many reasons.

Firstly, while the HTML Tidy reference does teach parsing an original structured document, the elements identified through the parsing process are not mapped to any XHTML content fragment nor are the elements identified in a structured document that is to be converted. Identified elements, which are elements of a HTML structured document, are mapped to the correct HTML markup for the identified elements. As discussed above, the HTML Tidy reference only discloses performing its operations on a single type of structured document, which is a HTML document or XML document. The generation of a content fragment that is for a different type of structured document than the type of structured document for the identified element is not performed. Evidence of this is found on page 4, paragraphs 2-3. Accordingly, the claimed generation of a first level XHTML content fragment corresponding to each first level element of a structured document to be converted, as recited in claims 1 and 10, is not taught by the HTML Tidy reference.

In addition the HTML Tidy reference also fails to teach providing first level element to an element handlers, wherein a first level element is provided to an element handler established for the first level element type and element handler is operable to generate a first level XHTML content fragment corresponding to each first level element and identify other element within a respective first level element.

Perry is cited to cure the deficiencies of HTML Tidy with respect to providing first level element to an element handlers, wherein a first level element is provided to an element handler established for the first level element type and element handler is operable to generate a first level XHTML content fragment corresponding to each first level element and identify other element within a respective first level element. The Perry reference discloses a technique for how to display an XML document using XLS. The technique includes functionality for transforming XML to HTML or XHTML. However, Perry fails to disclose that the instruction that performs the transformation is operable to identify other element within a respective first level element. There is no suggestion in either reference that the technique of HTML Tidy can be applied to the invention of Perry. In fact HTML Tidy teaches away from processing markup between two different types of structured documents since it heavily relies on correcting markup for a type of structured document using the markup approved by a standards organization for the type of structure document. The deficiencies recited above with respect to the HTML Tidy reference is not cured by Perry. Accordingly, the combination of HTML Tidy and Perry does not teach or suggest the invention claimed by claims 1 and 10.

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Claims 2-8 and 11-17 depend from claims 1 and 10 respectively. Thus, claims 2-8 and 11-17 are not taught or suggested for the reasons stated above with respect to claims 1 and 10.

Claims 9 and 18 have been rejected under 35 U.S.C. 103 as being unpatentable over Dave Raggett, "Clean up your Web Pages with HTML Tidy," 4th version (August 2000), pgs 1-21 ("HTML Tidy") in view Balnaves U.S. Patent Application Publication No. 2006/0085734, and Douglis et al. U.S. Patent Application Publication No. 2004/0260676 ("Douglis"), and in further view of Fong et al. U.S. Patent Application Publication No. 2005/0166141 (Fong).

Fong does not cure the deficiencies of HTML Tidy, Balnaves and Douglis. Accordingly, HTML Tidy, Balnaves, Douglis, and Fong, alone or in combination does not teach the invention of claims 1 and 10 and thus does not teach the invention of claims 9 and 18.

Additional Fees

The Commissioner is hereby authorized to charge any insufficient fees or credit any overpayment associated with this application to Deposit Account No. 50-4047 (4191110115).

Conclusion

In view of the foregoing, all of the Examiner's rejections to the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all the claims remaining in the application. Should the Examiner feel further communication would facilitate prosecution, he is urged to call the undersigned at the phone number provided below.

Date: 10-1-07

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